THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

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WRIT PETITION No. 9828 of 2006

DATED: 30-05-2006

BETWEEN:

The Elite Society Rep.by its President

.. PETITIONER

AND

The Superintendent of Police

Khammam District and others

.. RESPONDENTS

THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT PETITION No. 9828 of 2006

ORDER:

Heard the learned counsel for the petitioner as well as learned Government Pleader

for Home.

With the consent of both the parties, the writ petition is taken up for final hearing at the stage of admission.

The petitioner is the society registered under Andhra Pradesh Public Societies Registration Act 35 of 2001. The objects of the petitioner's society are to provide and promote social and cultural activities of sports, games and recreation. The grievance of the petitioner's society is that the respondents are interfering with its recreation activities and thereby preventing the petitioner's society from carrying out its objectives.

The respondents filed counter affidavit. It is stated in the counter affidavit that the petitioner's society is not in existence and therefore, the question of interfering with the activities of the club promoted by the petitioner's society does not arise.

The Learned counsel for the petitioner submits that similar question came up for consideration in W.P.No.5481 of 2005 and the said writ petition came to be disposed of on 21.03.2005. Copy of the said order has been placed on record. Paragraphs 3 and 4 of the order reads thus:

> *3. Time and again, this Court categorically held that 13cards game is a game of skill and the respondents shall not interfere with the playing of 13 cards game. Same is the view taken by in a Division Bench of this Court in* ***TWIN CITIES CINEMA CULTURAL CENTRE (FORMERLY TWIN CITIES CLUB) v. COMMISSIONER OF POLICE*** *(2002(5) ALT 805 (DB) in Writ Appeal No.1167 of 2002, dated 29.07.2002.*
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> *4. Therefore, the respondents are directed not to interfere with the lawful activities of the petitioner-club, particularly with the playing of 13 cards game with or without betting. However, the respondents are at liberty to interfere with the unlawful activities, if any, going on in the petitioner-club and to take appropriate action in that regard."*

In view of the said proposition of law, this writ petition is disposed of directing the respondents not to interfere with the lawful activities of club promoted by the petitioner's society particularly in playing of 13 cards game with or without betting.

However, the respondents are at liberty at interfere with the unlawful activities, if any, going on in the petitioner's club and to take appropriate action in that regard. No costs.

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30-05-2006

kvrm